

114 Lucille Way

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CITY OF ORINDA

REQUEST TO INVESTIGATE ALLEGED VIOLATION OF PLANNING AND ZONING CODE (TITLE 17)

Thank you for taking the time to bring this matter to our attention. Please provide us with the following information, which we will need to help us with the investigation. Please be as detailed as possible about dates and the nature of the complaint. When completed, please return the form to the address listed below. As our staff time is limited, we appreciate your patience in this matter.

1. APPROXIMATE DATE OF ALLEGED VIOLATION: 2/09/2019 and on prior dates
2. ADDRESS OR LOCATION OF PROPERTY WHERE ALLEGED VIOLATION TOOK PLACE: 134 Lucille Way, Orinda CA 94563
3. NAME OF PROPERTY OWNER WHERE ALLEGED VIOLATION TOOK PLACE (IF KNOWN): I believe her name is Lynn.
4. DESCRIPTION OF ALLEGED VIOLATION: 114 Lucille Way is located on a narrow steep cul-de-sac with very limited parking. The street is not wide enough for two way traffic and is difficult to turn around on. The property is listed on AirBnB for rentals by business travelers, families, and large groups. AirBnB listing promoted the property for parties for up to 30 guests. The owner charges extra for parties - \$800/day and a cleaning fee of \$350. As a result, there have been a number of large parties at 114 Lucille Way, resulting in noise, traffic, impacted parking and strangers smoking cigarettes and marijuana in the street. This has resulted in a nuisance for us neighbors.
5. YOUR NAME:
6. ADDRESS: TELEPHONE NUMBER:
7. EMAIL ADDRESS:

NOTE: All information submitted is public record and may be viewed by any member of the public upon request.

When completed, send this form to:

**City of Orinda
Planning Department
22 Orinda Way, Orinda, CA 94563
(925) 253-4210, fax (925) 253-7719
orindaplanning@cityoforinda.org**

From: [Drummond Buckley](#)
To: lynngsg@gmail.com
Cc: [Winnie Mui](#)
Subject: 114 Lucille Way Short-Term Rental
Date: Friday, March 8, 2019 5:11:14 PM

Dear Michael Wang and Wenlin Luo,

A couple of weeks ago, Orinda City Manager Steve Solomon, Police Chief Mark Nagel, and I called you to discuss code compliance for your Short Term Rental (STR). Since then, we have not received any complaints. I want to personally thank you for ensuring that the following rules are complied with:

- No more than 13 people onsite at any time while the property is being used for an STR. This includes long-term tenants and their guests, guests of anyone who has rented your property as a STR, and anyone else on the such as you (the owners) or workers such as housecleaning staff.
- No parking by STR tenants on the street, either Lucille or any other street such as Knickerbocker.
- Compliance with all other aspects of the municipal code such as our noise ordinance, and other laws such as the state prohibition on underage drinking.

Thanks for revising your listing on Airbnb so that it does not say anything about hosting large groups/ "up to 30 people" or anything about a special cleaning fee for "large parties." **In order to ensure that there are no misunderstandings, we also recommend that you also list the maximum number of people allowed onsite as 12, assuming you have one long-term tenant.**

Early next week we will be issuing two "notices of violation" for the large party that took place a few weeks ago, before we called. These are essentially warning notices, but if there are any other violations, we will start to issue fines.

Thanks again for your cooperation on this matter.

Drummond Buckley

Planning Director, City of Orinda
22 Orinda Way, Orinda CA 94563
925.253.4210 (main line)
925.253.4240 (direct)
www.cityoforinda.org

How are we doing? Please take a moment to complete our Planning Department Customer Satisfaction Survey: <https://www.surveymonkey.com/r/HC9QJLV>



☒ **NOTICE OF VIOLATION – ISSUANCE DATE/TIME:**

3/11/19 2:00pm

☐ **STOP WORK - ISSUANCE DATE/TIME:**

[See Orinda Municipal Code § 19.04.070 and 15.36.710]

Site/Location: 114 Lucille Way

Owner: Michael Wang + Wenlin Luo

APN: 213-078-033

Phone: _____

You are hereby notified that the enforcement representative specified below, has observed that the following conditions on your property are in violation of the Orinda Municipal Code Section referenced below:

- ☐ Short-term rental - exceeding max 30 days (213.070)
- ☐ Building Code Violation § 15.08
- ☐ Electrical Code Violation § 15.12
- ☐ Plumbing Code Violation § 15.16
- ☐ Mechanical Code Violation § 15.20
- ☐ Grading Code Violation § 15.36
- ☒ Zoning Code Violation § 17.3.12
- ☐ Encroachment Violation (Performing unauthorized work in the public right-of-way)

To comply with this notice, you must apply for all necessary permits or remove the condition specified above from the property within _____ days of the date of this notice.

An investigation has begun and compliance is required to correct the above violation(s). Additionally, a code enforcement fee may be charged.

Please contact the Orinda Planning Department for permit information at 22 Orinda Way, Orinda, CA 94563 or call: (925) 253-4210

If you have any questions regarding this notice, you may direct them to the representative issuing notice at the following phone number:

(925) 253-4210, winne@orinda.org

Issued By: Winne Mei

Per § 19.01.060(G), potential consequences should the property remain in violation after expiration of the compliance deadline, include but are not limited to the following: administrative citations, notice of noncompliance recorded against the property, civil penalties, or other measures authorized under Orinda Municipal Code and state law.



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CODE ENFORCEMENT – NOTICE OF VIOLATION (1 OF 2)

March 11, 2019

Michael Wang & Wenlin Luo
114 Lucille Way
Orinda, CA 94563

Re: Violation of Orinda Municipal Code

Case Number: CE-2019-013
Property Owner of Record: Michael Wang & Wenlin Luo
Subject Property: 114 Lucille Way
Assessor Parcel Number: 273-075-033

Code Section Violated

The following section of the Orinda Municipal Code applies to the code violation on the property:

Violation	Applicable Code
Short-term rental on Feb 15, 2019: <ul style="list-style-type: none">Exceeding the maximum occupancy	17.3.12 – Short-term rentals. B. Registration. In the registration filed with the City, the owner and operator (if different from the owner) shall acknowledge the following requirements: 1. When any portion of the short-term rental is rented, the total maximum occupancy of the dwelling containing the short-term rental is limited to the maximum number specified on the proof of registration. That maximum is calculated as follows: two (2) people per bedroom plus three (3) people;

Staff received multiple emails, photos, and videos from neighbors regarding the short-term rental being used for a large party that occurred on the subject property on February 15, 2019. Per Orinda Municipal Code Section 17.3.12, the maximum occupancy allowed on the subject property while being actively rented as a short-term rental is 13 people. A copy of the attached Notice of Violation door hanger was issued on March 11, 2019. The next violation will result in an administrative citation from the City of Orinda.

If you have questions regarding this matter you may contact me by email me at wmui@cityoforinda.org or by telephone at (925) 253-4283.

Sincerely,

Winnie Mui
Assistant Planner

General Information
(925) 253-4200 (ph)
(925) 254-9158 (fax)

Administration
(925) 253-4220 (ph)
(925) 254-2068 (fax)

Planning
(925) 253-4210 (ph)
(925) 253-7719 (fax)

Parks & Recreation
(925) 254-2445 (ph)
(925) 253-7716 (fax)

Police
(925) 254-6820 (ph)
(925) 254-9158 (fax)

Public Works
(925) 253-4231 (ph)
(925) 253-7699 (fax)



☒ **NOTICE OF VIOLATION – ISSUANCE DATE/TIME:**

3/14/11 2:00pm

☐ **STOP WORK - ISSUANCE DATE/TIME:**

[See Orinda Municipal Code § 19.04.070 and 15.36.710]

Site/Location: 114 Lucille Way

Owner: Michael Wang + Wenlin Wu

APN: 273-075-033

Phone: _____

You are hereby notified that the enforcement representative specified below, has observed that the following conditions on your property are in violation of the Orinda Municipal Code Section referenced below:

☐ Short-term rental - parking (2/15/11)

- ☐ Building Code Violation § 15.08
- ☐ Electrical Code Violation § 15.12
- ☐ Plumbing Code Violation § 15.16
- ☐ Mechanical Code Violation § 15.20
- ☐ Grading Code Violation § 15.36
- ☒ Zoning Code Violation § 17.3.12

☐ Encroachment Violation (Performing unauthorized work in the public right-of-way)

To comply with this notice, you must apply for all necessary permits or remove the condition specified above from the property within _____ days of the date of this notice.

An investigation has begun and compliance is required to correct the above violation(s). Additionally, a code enforcement fee may be charged.

Please contact the Orinda Planning Department for permit information at 22 Orinda Way, Orinda, CA 94563 or call: (925) 253-4210

If you have any questions regarding this notice, you may direct them to the representative issuing notice at the following phone number:

(925) 253-4213, Wenlin@cityoforinda.org

Issued By: Wenlin Wu

Per § 19.01.060(G), potential consequences should the property remain in violation after expiration of the compliance deadline, include but are not limited to the following: administrative citations, notice of noncompliance recorded against the property, civil penalties, or other measures authorized under Orinda Municipal Code and state law.



22 Orinda Way • Orinda • California • 94563

CODE ENFORCEMENT – NOTICE OF VIOLATION (2 OF 2)

March 11, 2019

Michael Wang & Wenlin Luo
114 Lucille Way
Orinda, CA 94563

Re: Violation of Orinda Municipal Code

Case Number: CE-2019-013
Property Owner of Record: Michael Wang & Wenlin Luo
Subject Property: 114 Lucille Way
Assessor Parcel Number: 273-075-033

Code Section Violated

The following section of the Orinda Municipal Code applies to the code violation on the property:

Violation	Applicable Code
Short-term rental on Feb 15, 2019: <ul style="list-style-type: none">• Parking	17.3.12 – Short-term rentals. B. Registration. In the registration filed with the City, the owner and operator (if different from the owner) shall acknowledge the following requirements: 4. The short-term rental owner and operator are jointly responsible for compliance with all City regulations including those regarding noise, parking, and occupancy. Compliance with those requirements shall be included in any written agreement used for the short-term rental;

Staff received multiple emails, photos, and videos from neighbors regarding the short-term rental being used for a large party that occurred on the subject property on February 15, 2019. Vehicles from the short-term renters and their guests were not contained on the subject property and parked on Lucille Way and Knickerbocker Lane. Per Orinda Municipal Code Section 17.3.12, the short-term rental shall comply with all City regulations, including all vehicles from the short-term rental shall be contained on the property. A copy of the attached Notice of Violation door hanger was issued on March 11, 2019. The next violation will result in an administrative citation from the City of Orinda.

If you have questions regarding this matter you may contact me by email me at wmui@cityoforinda.org or by telephone at (925) 253-4283.

Sincerely,

Winnie Mui
Assistant Planner

General Information
(925) 253-4200 (ph)
(925) 254-9158 (fax)

Administration
(925) 253-4220 (ph)
(925) 254-2068 (fax)

Planning
(925) 253-4210 (ph)
(925) 253-7719 (fax)

Parks & Recreation
(925) 254-2445 (ph)
(925) 253-7716 (fax)

Police
(925) 254-6820 (ph)
(925) 254-9158 (fax)

Public Works
(925) 253-4231 (ph)
(925) 253-7699 (fax)



CITY OF ORINDA

REQUEST TO INVESTIGATE ALLEGED VIOLATION OF PLANNING AND ZONING CODE (TITLE 17)

Thank you for taking the time to bring this matter to our attention. Please provide us with the following information, which we will need to help us with the investigation. Please be as detailed as possible about dates and the nature of the complaint. When completed, please return the form to the address listed below. As our staff time is limited, we appreciate your patience in this matter.

1. APPROXIMATE DATE OF ALLEGED VIOLATION: 7/22/19
2. ADDRESS OR LOCATION OF PROPERTY WHERE ALLEGED VIOLATION TOOK PLACE: 114 Lucille way orinda ca 94563
3. NAME OF PROPERTY OWNER WHERE ALLEGED VIOLATION TOOK PLACE (IF KNOWN): _____
4. DESCRIPTION OF ALLEGED VIOLATION: Owner fill the garbage can after racoon ripped the garbage bag the neighbors has to deal w/ it.

5. YOUR NAME: _____ DATE: _____
ADDRESS: _____
TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____

NOTE: All information submitted is public record and may be viewed by any member of the public upon request.

When completed, send this form to:

**City of Orinda
Planning Department
22 Orinda Way, Orinda, CA 94563
(925) 253-4210, fax (925) 253-7719
orindaplanning@cityoforinda.org**

From: [Winnie Mui](#)
To: ["lynnsga@gmail.com"](mailto:lynnsga@gmail.com)
Subject: 114 Lucille Way - Courtesy Letter
Date: Tuesday, July 30, 2019 1:40:00 PM
Attachments: [Courtesy Letter 114 Lucille Way.pdf](#)

Hello Michael & Wenlin,

The City has received a complaint regarding overfilled garbage bins at your property on 114 Lucille Way. Please see the attached Courtesy Letter. A copy has also been mailed to your property. Please respond by **Friday, August 9** or the City may pursue further code enforcement.

Best,

Winnie Mui

Assistant Planner, City of Orinda
22 Orinda Way, Orinda CA 94563
925.253.4210 (main line)
925.253.4283 (direct)
www.cityoforinda.org

How are we doing? Please take a moment to complete our Planning Department Customer Satisfaction Survey: <https://www.surveymonkey.com/r/HC9QJLV>



CODE ENFORCEMENT – COURTESY LETTER

July 30, 2019

Michael Wang & Wenlin Luo
114 Lucille Way
Orinda, CA 94563

Re: Alleged Violation of Orinda Municipal Code

Case Number: CE-2019-055
Property Owner of Record: Michael Wang & Wenlin Luo
Subject Property: 114 Lucille Way
Assessor Parcel Number: 273-075-033

The City of Orinda has received a complaint regarding an alleged Orinda Municipal Code violation at the property referenced above. The alleged violation is described below, along with the code requirements that apply and a description of steps necessary to address the violation.

Code Section Violated

Alleged Violation	Applicable Code
<i>Overfilled garbage bins.</i>	19.01.070 - Declaration of nuisance. A failure to comply with the requirements of the Code and applicable state laws is a nuisance. Additionally, the term "nuisance" for purposes of the Code includes but is not limited to the following: B. Visible rubbish and refuse;

Please respond to this notice by phone, email or letter by **Friday, August 9, 2019** regarding (1) whether the violation exists and (2) your plan to maintain your garbage bins to prevent future overfilling of the bins. If the alleged violation does not exist, a site visit will be necessary to confirm and close this code violation case.

If you take no action, if you do not attempt to contact the Planning Department by the date listed above, or if you only partially address the violation identified and described in this *Courtesy Letter*, you may be subject to further enforcement. This could include a notice of violation and citation from the City of Orinda, administrative fines, or other measures allowed under Orinda Municipal Code, Title 19, and state law.

If you have questions regarding this matter you may contact me by email me at wmui@cityoforinda.org or by telephone at (925) 253-4283.

Sincerely,

Winnie Mui

Winnie Mui
Assistant Planner